

JUL. 27. 2005 5:18PM LVM 312 616 5700

RECEIVED
CENTRAL FAX CENTER
JUL 27 2005

NO. 6023 P. 1

LAW OFFICES
LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
CHICAGO, ILLINOIS 60601-6780

TELEPHONE: (312) 616-5600

TELECOPY: (312) 616-5700 (G3)
(312) 849-0495 (G4)

FACSIMILE COVER SHEET

DATE: JULY 27, 2005

NUMBER OF PAGES (INCLUDING
THIS TRANSMITTAL COVER SHEET): 5

OUR REFERENCE: 215851

FROM: JOHN KILYK, JR.
REGISTRATION NO. 30,763

DIRECT LINE: (312) 616-5665

TO: MAIL STOP PETITION
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

FACSIMILE NUMBER: (571) 273-8300

IN RE APPLN. OF: Ikemoto et al.
APPLICATION NO. 10/086,076
FILED: February 28, 2002

Docket No.: 215851

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:
PETITION (2 PAGES, IN DUPLICATE)

A confirmation copy of the transmitted document will:

☒ Not be sent. This will be the only form of delivery of the transmitted document.

The information contained in this facsimile transmission is intended only for the use of the individual or entity named above and those properly entitled to access to the information and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this transmission is not the intended or an authorized recipient, you are hereby notified that any unauthorized distribution, dissemination, or duplication of this transmission is prohibited. If you have received this transmission in error, please immediately notify us by telephone or facsimile. Thank you.

JUL 27 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/086,076

Applicant: Ikemoto et al.

Filed: February 28, 2002

TC/AU: 1621

Examiner: M. L. Shippen

Docket No.: 215851

Customer No.: 23460

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR WITHDRAWAL OF TERMINAL DISCLAIMER
UNDER 37 CFR § 1.182**

Sir:

In accordance with the provisions of 37 C.F.R. § 1.182, Applicants hereby petition for withdrawal of the Terminal Disclaimer filed in connection with the subject application on September 3, 2002, over U.S. Patent 6,310,222.

The Terminal Disclaimer was filed in response to an obviousness-type double patenting rejection of claim 17 in view of U.S. Patent 6,310,222 (see Office Action dated August 8, 2002, and Response dated September 3, 2002). Subsequently, the present application was involved in Interference No. 105,075, in which the Board issued an Order requiring the cancellation of claim 17 of the present application. In response to the Board's Order, Applicants canceled claim 17 of the present application by way of an "Amendment" dated February 17, 2004. Accordingly, the basis of the obviousness-type double patenting rejection is no longer present.

As a result, the Terminal Disclaimer is no longer necessary, and Applicants respectfully request its withdrawal.

Please charge the petition fee of \$130.00 required by 37 C.F.R. § 1.17(h) to Deposit Account No. 12-1216. Any additional fee which may be due or any other charges in

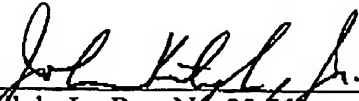
Application No. 10/086,076

Petition

connection with the submission of this Petition also should be charged to Deposit Account No. 12-1216. A duplicate copy of this communication is enclosed for that purpose.


The undersigned is empowered to act on behalf of the Assignee.

Respectfully submitted,


John Kilyk, Jr., Reg. No. 30,768
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: July 27, 2005

Amendment or ROA - Regular (Revised 2005 05 11)

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	John Kilyk, Jr.		
Signature		Date	July 27, 2005

JUL 27 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/086,076

Applicant: Ikemoto et al.

Filed: February 28, 2002

TC/AU: 1621

Examiner: M. L. Shippen

Docket No.: 215851

Customer No.: 23460

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR WITHDRAWAL OF TERMINAL DISCLAIMER
UNDER 37 CFR § 1.182**

Sir:

In accordance with the provisions of 37 C.F.R. § 1.182, Applicants hereby petition for withdrawal of the Terminal Disclaimer filed in connection with the subject application on September 3, 2002, over U.S. Patent 6,310,222.

The Terminal Disclaimer was filed in response to an obviousness-type double patenting rejection of claim 17 in view of U.S. Patent 6,310,222 (see Office Action dated August 8, 2002, and Response dated September 3, 2002). Subsequently, the present application was involved in Interference No. 105,075, in which the Board issued an Order requiring the cancellation of claim 17 of the present application. In response to the Board's Order, Applicants canceled claim 17 of the present application by way of an "Amendment" dated February 17, 2004. Accordingly, the basis of the obviousness-type double patenting rejection is no longer present.

As a result, the Terminal Disclaimer is no longer necessary, and Applicants respectfully request its withdrawal.

Please charge the petition fee of \$130.00 required by 37 C.F.R. § 1.17(h) to Deposit Account No. 12-1216. Any additional fee which may be due or any other charges in

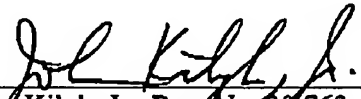
Application No. 10/086,076

Petition

connection with the submission of this Petition also should be charged to Deposit Account No. 12-1216. A duplicate copy of this communication is enclosed for that purpose.

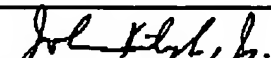
The undersigned is empowered to act on behalf of the Assignee.

Respectfully submitted,


John Kilyk, Jr., Reg. No. 30,763
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: July 27, 2005

Amendment or ROA - Regular (Revised 2005 05 11)

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	John Kilyk, Jr.		
Signature		Date	July 27, 2005